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Written statement* submitted by Associazione Comunita Papa Giovanni XXIII, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[25 May 2018]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

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UPR France

APG23 has been present in France since 2010. At the moment, it runs two Family Homes, which are welcoming family-like structures, in the Occitanie region, department 65 Hautes Pyrenees. In the last years, the Association has welcomed around 30 persons with disabilities (in its structures) for different reasons and for different periods of time. APG 23 has built networks with national and local agencies such as OCH (Office Chrétien des personnes Handicapées), APF (Association des Paralysés de France), AIGUE VIVE, MDPH (Maison départemental des personnes handicapées), Défenseur des droits, Santuario Notre Dame de Lourdes, CESDDA (Centre d'Education Spécialisée pour Dysphasiques et Déficients Auditifs) in order to establish mutual collaboration, to face difficulties together and to share solutions. Through these networks, we came in contact and helped more than 200 people with disabilities.

Our members and volunteers in France collected the information and the data on the situation of persons with disabilities through direct interviews, questionnaires proposed to the stakeholders, monitoring activities, public documents and research material.

We appreciated the efforts made by France in this issue. From 2005, when the national law for persons with disabilities came into force, there have been many changes in the country. Many tools have been created to promote occupation, education and social inclusion for persons with disabilities. In 2013, within the Inter Ministerial Committee for disability, the government decided to include a specific section on disability in every new law.
At the National Conference on Disability of the 14th December 2014, an effort was made to promote an inclusive society, regarding issues pertaining to education and occupation. We also welcomed the fact that in June 2016 the Ministry of Social Affairs and Health, together with the Ministry of the Family and the Rights of the Children and Women, has issued ministerial instructions (Instruction n° DGCS/3B/2016/207 du 23 juin 2016) for the transfer and inclusion of the didactic units, previously located in the premises of the medical social services (ESMS) for the disabled children, inside the ordinary schools. These measures in favour of a more inclusive school, already announced by the President of the Republic during the National Conference on Disabilities (CNH) on the 11th December 2014, have been also confirmed several times in the recent CNH of the 19th May 2016.

Likewise, it is positive that the new Labour Act No. 2016-1088 of 8 August 2016 introduces accompanied employment for workers with disabilities. Its implementation also includes support and guidance from the employer. The legislation has come into force only on the 1st January 2017 and its impact evaluation is premature.

Anyhow, we notice that huge inequalities in income and work policies still persist. In fact, persons with disabilities have access to poorly qualified and less paid jobs, mainly part-time jobs.
We believe that valuing a person means allowing them to make a path that leads to their self-determination and to acquire capacities to independently choose a project of life. Valuing a person with disability means just this, bearing in mind what their peculiar characteristics are. On the other hand, it is necessary an environment in which they can choose among the different possibilities that may be adequate to their desires and attitudes. The data collected show us that often only repetitive jobs, which do not valorise in any way the person, are proposed to persons with severe disabilities.

In the education field, the ambitious project of promoting the cooperation between the social-medical sector and the national education system for strengthening inclusive education is failing to identify the direct beneficiaries. There is also a general lack of information regarding the real possibilities that a disabled person could benefit from.

Finally, regarding social inclusion, even if there has been an increase in the number of laws and accessibility to work and education, the coverage of the services still leaves out a lot of adults and minors with disabilities and is not uniform in the different regions of the country. Moreover, it is not possible to affirm that there has been a qualitative development that recognizes equal dignity to the person with disability.
The residential institutions such as MAS, FAM (Maisons d'Accueil Specialisées e Foyers d'Accueil Médicalisés) are structures that take charge of the protection and care of the persons with disabilities in a totalizing manner, but do not involve any accompaniment towards social integration. The high professionalism of the service seems to be directly linked to the level of exclusion of the person that practically lives as a secluded person. The home-based care

associations are limited at guaranteeing assistance to people at home, whenever their physical and mental capacities are challenged. Such associations have assistance rather than a development approach.

Consequently, we would like to suggest some measures in order to provide a better fulfilment for people with disability in France:

- It is necessary and urgent to make a greater effort for training, sensitization and education on the culture of diversity and disability with the aim to promote a real culture of equality, tolerance and reciprocal respect; prevent and fight the discrimination towards the disabled children and adults in all the sectors of the society and in particular in the public sector; and recognize in real terms, and not just formally, the equal dignity of persons with disabilities at every level of social life.

- In the educational context it is necessary a cultural revolution, by shifting from quantitative development to qualitative development in order to adapt and adjust the educational activity to the real needs of the disabled children.

- Even if there has been some progress, there is the need to proceed very fast in including in the ordinary schools the too many children that are still excluded. All the minors in schools should be granted adequate educational support.

- To introduce new procedures for the validation of the special teachers' competencies to guarantee an effective acquisition of the required specific formation.

- To plan more punctual and systematic statistical research and collection of data concerning the number of disabled in the country, the total rates of schooling, the quantity and quality of the services and educational support offered. Such data should also be disaggregated for different types of disability (mental, physical, etc.).

- In every attempt to adapt and apply new legislations on disability in the different contexts (educational, social and working), it is urgent to give greater attention to children and adults with intellective disability since they are usually the most penalized.

- To adopt every measure, even legislative, for guaranteeing in every social or medical residential structure the valorisation and development of the autonomy and self-determination of persons with disabilities as well as the transparency of the offered services.

- To strengthen the interventions in the field of labour integration; business policies must put at the centre the development of the working dignity of the person with disabilities.

- To get rid of the disparities and differences among regions and provinces in terms of architectural barriers, school treatment and scholastic support, home support and assistance, working inclusion possibilities and compensation in order to guarantee a uniform coverage.

- To support and promote the adoption and fostering of disabled children in families and family-like structures. To adopt a new national legislation that forbids the placing of minors with disability in another type of institution (unless in the case of extreme ratio).

- To protect the life of disabled children from conception. All the possible maternal support for the protection of the life of the disabled child must be adopted even during intrauterine life.

In conclusion, we hope that our work, and in general this UPR session, will be fruitful and will help the French government to have a better understanding of the situation of people living with disability in order to continue the efforts made by France about this particular topic.